

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MARK WALTERS

Plaintiff,

v.

OpenAI, L.L.C.,

Defendant.

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Civil Action No. 1:23-cv-03122-
MLB

**CONSENT MOTION FOR AN EXTENSION OF TIME TO SUBMIT THE
JOINT PRELIMINARY REPORT AND DISCOVERY PLAN**

Defendant OpenAI, L.L.C., (“Defendant”), by and through its undersigned counsel, moves this Court to extend the parties’ time to submit the Joint Preliminary Report and Discovery Plan up to and including September 4, 2023. The current deadline is August 28, 2023. Defendant requests the extension to give it more time to propose and discuss with Plaintiff the sources and scope of the production of electronically stored information (“ESI”) and the format for the production of ESI, method of production, and the inclusion or exclusion and use of metadata to hopefully avoid having to request a scheduling conference with this Court in accordance with paragraph 9 of the Joint Preliminary Report and Discovery Plan. Plaintiff consents to this motion.

The requested extension will not cause any delay because Defendant's Motion to Dismiss is still pending, Defendant has not yet answered Plaintiff's Complaint, and as such, the discovery period in this action has not commenced. *See* L.R. 26.2(A). Moreover, the requested deadline is five (5) days earlier than current deadline for Plaintiff to respond to Defendant's Motion to Dismiss and nineteen (19) days before the likely deadline for Defendant to file a reply in support of its Motion to Dismiss. As such, the discovery period in this case will not commence for at least forty-nine (49) days after the proposed September 4, 2023 deadline. *See* L.R. 26.2(A).

Dated: August 24, 2023

Respectfully submitted,

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Attorneys for Defendant

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing CONSENT MOTION FOR AN EXTENSION OF TIME TO SUBMIT THE JOINT PRELIMINARY REPORT AND DISCOVERY PLAN was prepared with Times New Roman, 14-point font, in accordance with LR 5.1(B).

Dated: August 24, 2023

By: /s/ Brendan Krasinski
Brendan Krasinski

CERTIFICATE OF SERVICE

I hereby certify that, on this 24th day of August 2023, I electronically filed the foregoing CONSENT MOTION FOR AN EXTENSION OF TIME TO SUBMIT THE JOINT PRELIMINARY REPORT AND DISCOVERY PLAN with the Clerk of Court using the CM/ECF system, which will send e-mail notification of such filing to all attorneys of record.

Dated: August 24, 2023

By: /s/ *Brendan Krasinski*
Brendan Krasinski